

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CLIFTON DARNELL ROBINSON,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS
and WELLPATH,

Defendants.

Case No. 23-CV-844-JPS

ORDER

Plaintiff, a prisoner proceeding pro se, filed a civil rights complaint on June 23, 2023, along with a motion to proceed without prepayment of the filing fee and a partial trust fund account statement. ECF Nos. 1, 2, 3. The same day, the Clerk of Court issued a letter requesting that a six-month certified prisoner trust account statement be filed within twenty-one days. ECF No. 4. The letter warned Plaintiff that his failure to comply with that requirement may result in the dismissal of his case without further notice. *Id.* On June 29, 2023, Plaintiff filed another partial trust account statement. ECF No. 6. On June 30, 2023, the Clerk of Court sent Plaintiff another letter regarding his partial trust account statement and again warned him that the failure to submit a complete statement could result in the dismissal of his case. ECF No. 7. That letter was returned as undeliverable on July 10, 2023, because, due to clerical error, it did not include Plaintiff's inmate identification number. Plaintiff submitted another partial trust fund account on July 10, 2023. ECF No. 10. Following an extension of time, Plaintiff submitted a trust fund account statement on July 25, 2023, ECF No. 14, and the Court then ordered him to pay an initial partial filing fee of \$33.24, ECF No. 15. On September 13, 2023, Plaintiff filed a motion for

reconsideration of the initial partial filing fee, ECF No. 18, along with a new partial trust fund account statement for the month of May 2023, ECF No. 19.

Plaintiff indicates that he cannot pay the initial partial filing fee and asks the Court to consider his financial situation. The Court will grant Plaintiff **one** additional opportunity to provide a trust account statement to potentially recalculate his initial partial filing fee, and will accordingly grant Plaintiff's motion for reconsideration. Plaintiff must submit a complete trust fund account statement for the six-month period *prior* to the filing of the complaint (December 2022 through June 2023) or alternatively pay the \$402.00 filing fee in full on or before **October 19, 2023**, or this case may be dismissed, without prejudice and without further notice, for Plaintiff's failure to prosecute.

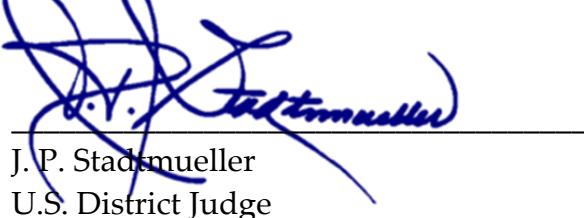
Accordingly,

IT IS ORDERED that Plaintiff's motion for reconsideration, ECF No. 18, be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Plaintiff must submit a complete trust fund account statement for the six-month period *prior* to the filing of the complaint (or alternatively pay the \$402.00 filing fee in full on or before **October 19, 2023**; if Plaintiff cannot submit this trust account statement, he must provide a detailed explanation as to why he cannot or the failure to do so will result in the dismissal of this case, without prejudice and without further notice, for Plaintiff's failure to prosecute.

Dated at Milwaukee, Wisconsin, this 28th day of September, 2023.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge